



"Express Mail" mailing label number EV 314011205 US

Date of Deposit: February 3, 2006

ANS. J  
3/27/06

PATENT  
CASE NO. 56/408

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
Andreas Schroter et al. )  
) Group Art Unit: 2862  
Serial No.: 10/622,024 )  
) Examiner: Schindler, David M.  
Filed: July 17, 2003 )  
)  
For: SCALE AND METHOD FOR )  
PRODUCING THIS SCALE AND )  
POSITION MEASURING SYSTEM )  
EMPLOYING SUCH SCALE )

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office Action mailed November 3, 2005. This Amendment was not earlier presented because it responds to new objections regarding the drawings and new rejections made under 35 U.S.C. §§ 102 and 112. Applicants are canceling claims and presenting amendments and arguments to overcome the rejections and so the issues for Appeal have been reduced. In addition, it is not believed that the present Response will require a new search to be made on the part of the Examiner. Accordingly, please cancel claims 1, 4, 32 without prejudice and amend claims 2, 3, 5, 7, 9-11, 14, 16, 17, 20, 25, 27, 30, 31, 35, 36, 39 and 42 as follows:



ITW/AT

U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE  
DEPOSIT INFORMATION

Express Mail Label No.: EV314011205 US

Date of Deposit: February 3, 2006

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **ANDREAS SCHROTER et al.**

Appln. No.: **10/622,024**

Filed: **July 17, 2003**

For: **SCALE AND METHOD FOR PRODUCING  
THIS SCALE AND POSITION  
MEASURING SYSTEM EMPLOYING  
SUCH A SCALE**

Examiner: **Schindler, David M.**

Art Unit: **2862**

Attorney Docket No: **56/408**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment Under 37 C.F.R. §1.116  
☒ Return Receipt Postcard

Fee calculation:

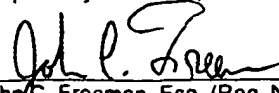
- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim									
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

  
John C. Freeman, Esq. (Reg. No. 34,483)

February 3, 2006  
Date